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Life and Public Services of William Pitt Fessenden. In two volumes. By FRANCIS FESSENDEN, Brigadier-General, U. S. A. (Boston and New York: Houghton, Mifflin and Company. 1907. Pp. ix, 374; vii, 367.)

THE subject of this biography will be chiefly remembered by posterity as *primus inter pares* of the immortal seven who, in a trying crisis of their country's history, rose above the frenetic demands of their party and refused to take part in the removal of a president of the United States by a prostitution, as iniquitous as it was transparent, of the process prescribed by the fundamental law. A storm of obloquy broke upon his head, raised by the radicals who were largely in the ascendant in his state and section; and he died before the cloud that blighted the subsequent careers of his co-offenders had vanished away. However, justice has been done to his memory by the verdict of history. The second administration of President Grant was hardly ended before the country settled down to the opinion that, had the movement been successful which these seven judges of the High Court of Impeachment were able to defeat by only a single vote, our republic would have taken its place among those unstable forms of popular government where revolution is an ordinary incident in every hotly contested campaign; and, at the present day, the vote, then so generally denounced as the basest treachery to the party that claimed to have saved the Union, has come to be regarded as an act of patriotic self-devotion.

To such a hero, this book is a fitting tribute rendered by two of the sons whose advancement in the army was thrown into the face of their father as the cause of his conservatism. In reply to Senator Chandler of Michigan who assailed the senator from Maine as the apologist of the Apostate in the White House, Fessenden drew tears from half of the Senate by the following words:

"I have been twitted in the newspapers that my sons were generals in the Army. God gave me four sons. Three of them volunteered and the other volunteered also, but his health broke down and he was obliged to stay at home, much to his regret and sorrow. My youngest fell upon his first field. Another had his arm shattered and his leg shot off. The third was not wounded, but served and fought in twenty battles. I never asked for the appointment of one of them to any office."

William Pitt Fessenden was altogether too much of a statesman to suit the headlong radicalism of those times. Though his indefatigable industry in shaping measures of legislation and his conspicuous ability in advocating them upon the floor had won for him a place in the front rank of the Senate, yet he became the target of the poisoned arrows of the extremists because he would not go the full length of imposing negro suffrage as a condition of the readmission of the Southern states. Sumner was exceptionally bitter against him. In fact these two men were intensely antipathetic to each other both by temperament and mental habit. In a newspaper interview in August, 1867, Sumner said of him:

"For several years he has been very unkind to me, unaccountably so. I cannot comprehend it. Sometimes it seemed to me akin to insanity. He has always been against my ideas, but why should he contend personally? . . . All of the slave-masters together never wounded me as did this colleague from New England. . . . He runs to personalities as a duck to water—if not in language then in manner and tone. Until he gets heated he is dull."

From an elaborate speech which the senator from Massachusetts read against the first form of the Fourteenth Amendment, Fessenden culled "a few flowers of rhetoric" of that malodorous class for which Sumner seemed to cherish an unnatural fondness. This cardinal measure, which two-thirds of the Republicans in the House had already approved, was gibbeted before the country as "a muscicular abortion"; "disgusting ordure"; "loathsome stench"; "a political obscenity"; "a mighty House of Ill-fame which it is proposed to license constitutionally for a political consideration". Such rank specimens of what the scholarly Massachusetts senator condemned as "personalities" in another drew from Fessenden the criticism: "There are two kinds of personality in debate; one . . . aimed directly at the individual in the heat of debate when men are somewhat excited, when they cannot stop to choose their own words. . . . Another . . . which . . . aims at masses, confines itself to nobody, deals in epithets; . . . does not pick out an individual who can reply on the spot; and is elaborated in the closet, full of all manner of bitterness, but so expressed that no particular individual has a right to take it to himself. . . . I think the latter, inasmuch as it is cool, deliberated upon, the words chosen, exhibits vastly the more malice of the two."

Sumner said of Fessenden: "As a lawyer he is of the *nisi prius* order. There is nothing of a jurist in his attainments or nature." How competent a judge on this question the former was, can be ascertained by comparing the opinions of these two members of the High Court of Impeachment on the trial of President Johnson:

"To the suggestion that popular opinion demands the conviction of the President", Fessenden replied: "He is not on trial before the people, but before the Senate. . . . The people have not heard the evidence as we have heard it. . . . They have not taken an oath 'to do impartial justice according to the Constitution and the laws'. I have taken that oath."

Sumner took a different view: "This is a political proceeding, which the people . . . are as competent to decide as the Senate. . . . It is a mistake to suppose that the Senate only has heard the evidence. The people have heard it also, day by day, as it was delivered and have carefully considered the case on the merits, properly dismissing all apologetic subtleties. . . . They are above the Senate and will 'rejudge its justice'."

The people have already done so; and this book reminds us that it is about time that the people "rejudge" Sumner.

DAVID M. DEWITT.